~~DRAFT~~ FINAL SCOPING DOCUMENT

for

DRAFT ENVIRONMENTAL IMPACT STATEMENT (DEIS)

PURSUANT TO THE STATE ENVIRONMENTAL QUALITY

REVIEW ACT ("SEQRA")

BRIARCLIFF SOLAR, LLC, VILLAGE OF BRIARCLIFF MANOR, NEW YORK

~~APRIL 1~~JUNE 17, 2025

Project Sponsor:	Briarcliff Solar, LLC
Proposed Action:	Ground-mounted Solar Installation
Location:	345 Scarborough Road, Briarcliff Manor, Westchester County, New York
Classification of Action:	Type 1 Action
Lead Agency:	Village of Briarcliff Manor Board of Trustees 1111 Pleasantville Road Briarcliff Manor, NY 10510 Contact: Christine Dennett, Village Clerk/Assistant Village Manager

This Scoping Document is prepared pursuant to SEQRA and its implementing regulations at 6 NYCRR 617.8.

GENERAL GUIDELINES

1. The DEIS should cover all items in this Scoping Document and the DEIS should also conform to the format outlined in the Scope.

2. The DEIS should be written in the third person. The DEIS should not use the terms "we" and "our." The DEIS should identify the Project Sponsor's conclusions and opinions as those of Project Sponsor, "the Applicant" or "the Developer."

3. Whenever possible, appropriate charts, graphs, maps, and diagrams should accompany narrative discussions. If a graphic format can most effectively describe a particular subject matter, the narrative discussion should merely summarize and highlight the information

presented graphically. All plans and maps showing the Project Site should include adjacent homes, other neighboring uses and structures, roads, water bodies and a legend.

4. Descriptions of impacts should be in terms that the layperson can readily understand (e.g., truckloads of fill and cubic yards rather than just cubic yards).

5. All discussions of mitigation measures should consider at least those measures mentioned in the Scoping Outline. Where reasonable and necessary, the Project Sponsor should incorporate mitigation measures into the Proposed Action, if they are not already included.

6. The DEIS may incorporate by reference all or portions of other documents that contain information relevant to the Project Site.

7. The DEIS will discuss, where appropriate, all related short-term and long-term impacts, cumulative impacts and associated environmental impacts.

SEQR STATUS

The Proposed Action is a Type 1 Action pursuant to SEQRA Part 617.4(b)(6) and 617.4(4)(b)(9). After conducting a coordinated review and having received no objection from any other Involved Agency, the Village of Briarcliff Manor Board of Trustees declared itself SEQRA Lead Agency on December 6, 2022. After reviewing the Full EAF Parts 2 and 3, the Briarcliff Manor Board of Trustees adopted a resolution dated May 16, 2023, issuing a Positive Declaration requiring the preparation of a DEIS and draft Scoping Document outlining the scope of contents to be studied in the DEIS.

The Positive Declaration adopted by the Lead Agency indicated that implementation of the Proposed Action may result in one or more potentially significant adverse environmental impacts, and listed the following as reasons supporting its Determination of Significance:

- Impact to Land
- Impacts on Surface Water
- Impacts on Groundwater
- Impacts on Plants and Animals
- Impacts on Aesthetic Resources
- Impact on Transportation
- Impact on Human Health
- Consistency with Community Character

These potential adverse impacts identified by the Lead Agency in the Positive Declaration will be addressed in various sections of the DEIS as outlined below.

Per 6 NYCRR § 617.8(a)(7), the SEQR regulations require including the potentially significant adverse impacts identified both in Part 3 of the environmental assessment from and as a result of consultation with the other involved agencies and the public, including an identification of those particular aspect(s) of the environmental setting that may be impacted.

The Lead Agency set the following procedures to receive Agency and Public comments on this Draft Scope:

The Village conducted a public scoping process and held a publicly noticed scoping session. The scoping session was opened on April 1, 2025, and was continued until April 15, 2025, at which time the Board of Trustees closed the scoping session and allowed an additional ten (10) days, until April 26, 2025, for the submission of written comments.

~~A public scoping session will be held on April 1, 2025, at the Village of Briarcliff Manor Community Center, 1 Library Drive, Briarcliff Manor, NY 10510 at 7:30 p.m. at which time all those wishing to comment on the Draft Scope will have the opportunity to be heard. In addition, the Contact Person identified below will accept written comments on the Draft Scope until the close of business on April 11, 2025. Written comments will be accepted by e-mail or by U.S. Mail (addresses below).~~

All Involved Agencies were invited to inform the Lead Agency of each Agency's concerns, permit jurisdictions, and information needs to support such Agency's SEQR Findings, including, where applicable, any specific techniques or model to be used in studies and analysis for the EIS.

~~**Contact Person**: Christine Dennett, Village Clerk/Assistant Village Manager~~
~~Address: 1111 Pleasantville Road~~
~~Briarcliff Manor, NY 10510~~
~~cdennett@briarcliffmanor.gov~~

A. PROPOSED ACTION

Briarcliff Solar seeks to develop a 15-megawatt (MW) direct ~~capacity~~ current (dc) / 10-MW alternating ~~capacity~~ current (ac) ground mounted solar photovoltaic (PV) system) (the "Proposed Action" or "the Project") on tax lots 97.16-1-1 and 97.12-1-9 (345 Scarborough Road) in the Village of Briarcliff Manor, New York (the "Project Site"). The Project received a Positive Declaration from the Village of Briarcliff Manor on May 16, 2023[1]. The Project will differ from the prior site layout, through the use of newer commercially available technology comprising higher output solar panels (720 W proposed, 580 W historical) and lower impact/compact racking systems. The proposed utilization of advanced solar technology, while more costly to install, is the preferred proposal because it is anticipated to achieve reduced footprint impacts across the Project Site, primarily in areas of steep slopes and healthy, non-invasive trees.

The Solar PV modules will be mounted on structural steel frames supported on driven steel piles. Natural low growth vegetation around the Project Site will function as a buffer between the modules and the roads and adjacent properties. The proposed site access is from the existing access points along Holbrook and Scarborough Roads and the Project Site will not require new entrances. Electrical connection of the solar arrays will use the existing electrical connection to the Project Site via electrical panels, disconnect switches, and transformers. The installation will comply with local, state, and federal permitting standards.

[1] As indicated on the Positive Declaration Notice of Determination of Significance dated May 16, 2023, the original project proposed construction of a pair of collocated 5.0-MWAC community solar facilities that are 7.5-MWDC.

The Proposed Action will result in the demolition of the existing deteriorated building on the property, which has ~~a footprint of 61,137~~approximately 157,000 square feet of floor area. The Proposed Action will have no construction of buildings. The operation does not require the constant presence of on-site employees. Personnel activity will be limited to periodic checks and equipment maintenance. Such personnel may include landscapers, panel technicians, electricians, etc. The DEIS will provide information regarding the frequency of personnel visits.

The Proposed Action includes replacement of the approximately 80-foot-long bridge over Sparta Brook on Shadow Brook Lane. The bridge has deteriorated to the point that it is no longer load rated for emergency vehicle loading.

The Project Site is in the Complementary Use Transition 1 business district (CT1), and the R60A and R20B residential zoning districts; however, Project related work in the R20B district section of the Project Site will be limited to the bridge replacement. No other driveways require regrading or replacement. The Project Site comprises the former Phillips Research North America laboratory and multi-story office facility, previously occupied by Phillips until 2015, which would be demolished with the Proposed Project. The solar system and site improvements will comprise approximately ~~43.8~~40.72 acres of the 95.5-acre Project Site.

The Proposed Project will require Special Use Permit approval from the Briarcliff Manor Village Board of Trustees; Site Plan Approval, a Tree Removal Permit, Wetland Permit, and a Steep Slopes Permit from the Planning Board; a payment-in-lieu-of-taxes (PILOT) agreement through Westchester County Industrial Development Agency (IDA) and the Town of Ossining~~; and a lease lease back agreement with the Westchester County IDA~~.

In addition to the local Wetland Permit, the Proposed Project will also require United States Army Corps of Engineers (USACE) and the New York State Department of Environmental Conservation (NYSDEC) approval via a Joint Permit Application. Potential permits required from the NYSDEC include ~~Section 401 Water Quality Permit, and~~ an Article 15 Stream Disturbance Permit. The Proposed Project is expected to fall under a USACE Nationwide Permit #3~~, #14, or #33~~. ~~A Section 404 Clean Water Permit may also be required.~~

Table 1 lists the local, State, and Federal agency permits required for the Project.

Table 1: Required Approvals

Approval/Permit/Review	Agency
Village of Briarcliff Manor	
Special Use Permit	Village Board of Trustees
~~Host Community Agreement~~	~~Village Board of Trustees~~
Westchester County IDA - PILOT Approval	Village Board of Trustees
Site Plan Approval	Village Planning Board
Tree Removal Permit	Village Planning Board
Steep Slopes Permit	Village Planning Board
Wetland Permit	Village Planning Board
Town of Ossining	
Westchester County IDA - PILOT Approval	Town of Ossining Town Board

Approval/Permit/Review	Agency
Ossining Union Free School District	
Westchester County IDA - PILOT Approval	Ossining Union Free School District
Westchester County	
Financial Assistance	Industrial Development Agency
PILOT Agreement	Industrial Development Agency
~~Lease-Lease Back Agreement~~	~~Industrial Development Agency~~
~~Sanitary Sewer Extension~~	~~Department of Health~~
State/Federal Agencies	
General SPDES Permit for Stormwater Discharges (GP-0-2~~5~~0-001)	Department of Environmental Conservation (NYSDEC)
Letter of Resolution	Parks, Recreation, and Historic Preservation (NYS OPRHP)
IPaC Statement	U.S. Fish and Wildlife Service (USFWS)
Article 15 Stream Disturbance Permit	NYSDEC
~~Section 401 Permit~~	~~NYSDEC~~
~~Section 404 Permit~~	~~United States Army Corps of Engineers (USACE)~~
Nationwide Permit #3~~, #14, or #33~~	USACE
Determination of Wetlands or Buffer Impacts	USACE / NYSDEC
Jurisdiction Determination for Wetlands and Vernal Pools	NYSDEC

Involved ~~and interested~~ agencies.

- Village of Briarcliff Manor Board of Trustees.
- Village of Briarcliff Manor Planning Board.
- Town of Ossining.
- Ossining Union Free School District.
- ~~Briarcliff Manor Fire Department.~~
- ~~Briarcliff Manor Department of Public Works.~~
- ~~Village of Briarcliff Manor Water Department.~~
- ~~Briarcliff Manor Local Development Corporation~~.
- ~~Village of Briarcliff Manor Environmental Advisory Council.~~
- ~~Village of Briarcliff Manor Sustainability Advisory Committee.~~
- Westchester County Industrial Development Agency.
- ~~Westchester County Department of Planning.~~
- ~~Westchester County Department of Health.~~
- New York State Department of Environmental Conservation.
- ~~New York State Department of Public Service.~~
- New York State Office of Parks, Recreation, and Historic Preservation.
- ~~NYSERDA.~~
- ~~Con Edison.~~
- United States Fish and Wildlife Service.
- United States Army Corps of Engineers.

- ~~Sustainable Westchester~~

Interested agencies/persons.

- Briarcliff Manor Fire Department.
- Briarcliff EMS.
- Briarcliff Manor Department of Public Works.
- Village of Briarcliff Manor Water Department.
- Briarcliff Manor Local Development Corporation.
- Village of Briarcliff Manor Environmental Advisory Council.
- Village of Briarcliff Manor Sustainability Advisory Committee.
- New York State Department of Public Service.
- Sustainable Westchester.
- Alex J. Maglietta.

B. SCOPE OF ENVIRONMENTAL IMPACT STATEMENT COVER SHEET

The DEIS Cover Sheet will identify:

1. The document as a Draft Environmental Impact Statement.
2. Name and location of the Proposed Action.
3. The name, address, and telephone number of the Lead Agency and its contact person, and the same for the primary preparer of the DEIS.
4. The name, address, and phone number of the project sponsor and the name and phone number of the contact person representing the project sponsor.
5. Date of document submittal and any revision dates.
6. Date of acceptance of the DEIS or placeholder.
7. Public hearing date (or placeholder) and deadline by which comments on the DEIS are due.

TABLE OF CONTENTS

The Table of Contents will indicate the chapters of the DEIS, and page numbers and lists of all figures, tables, and appendices of the DEIS.

The text of the DEIS will include the following chapters:

CHAPTER I: EXECUTIVE SUMMARY

The Executive Summary will include the following:

- The purpose of the DEIS, summary of the history of the Project Site, and current SEQR process that has occurred;
- A list of all required reviews and approvals from Village, Town, County, State and Federal agencies;
- Project Site location and a summary of existing site conditions;
- Description of all aspects of the Proposed Action including any relevant aspects of the project which are unknown and have been studied generically;
- Summary of significant adverse environmental impacts and mitigation measures in each subject area discussed further in Section III; and
- Summary of each of the project alternatives analyzed in the body of the document and outlined on a table in this chapter.

~~**ADDITIONAL DETAIL DESCRIBING THE DIFFERENCE BETWEEN PREVIOUSLY PROPOSED ALTERNATIVES 1 AND 2 WAS REQUESTED BY THE VILLAGE BOARD OF TRUSTEES DURING THE PUBLIC SCOPING PROCESS. IN RESPONSE, THE PROJECT SPONSOR EVALUATED EACH ALTERNATIVE FURTHER AND HAS REVISED AND CONSOLIDATED THE ALTERNATIVES INTO A SINGLE ALTERNATIVE 1, WHICH INCLUDES BOTH SOLAR AND BESS COMPONENTS. AFTER ADDITIONAL REVIEW, IT WAS DETERMINED THAT AN ALTERNATIVE PROPOSING BESS AND A SOLAR FARM ONLY WITHIN THE AREA OF THE EXISTING BUILDING AND EXISTING DISTURBED FOOTPRINT WAS NOT FINANCIALLY VIABLE.**~~

CHAPTER II: PROJECT DESCRIPTION

A. LOCATION AND SITE DEFINITION: The project description will present graphically the regional and area location of the Proposed Action. In addition, the tax map designation, abutting streets, utilities, surrounding land uses, natural resources, and existing zoning categories will also be presented. Also included in the site description:

1. Site history in terms of prior uses, existing buildings, prior approvals, and prior environmental reviews under SEQRA.

2. Frontage and site access.

3. Environmental characteristics, steep slopes, bedrock outcrops, wetlands, etc.

4. Critical Environmental Area(s) on or next to the Site; and

5. Regional and local roadway network.

B. PROJECT DESCRIPTION: A narrative description of the Proposed Project and a graphical presentation of the Proposed Project, addressing:

- general layout of the Project Site;

- site lighting, including lighting specifications;
- panel infrastructure, including depth of piles, square footage of disturbance, quantity ~~o~~fles, dimension and specifications on proposed panels (height, materials, etc.)~~,~~;
- low growth vegetation around the panels, including type, height, and maintenance requirements; ~~around panels,~~
- site access and egress;
- ~~,~~ parking configuration;
- ~~,~~ internal roadway system,
- Any project-related amenities;
- Construction schedule and phasing;~~,~~ and
- ~~-~~a discussion of any potential project-related benefits.

~~As previously discussed above, t~~The Proposed Project is different than the project that received a Positive Declaration from the Village of Briarcliff Manor Board of Trustees on May 16, 2023.

The Project description will present the Project purpose and need, required Project reviews and approvals, and a description of the review/approval process sequence and procedural history of the Project, including site plan submission, and the PILOT agreement~~, and financing from IDA~~.

The Project description will also include a description of the daily and peak activities occurring onsite and their potential impact on traffic, noise, and others.

~~B.~~C. PROJECT PURPOSE, NEED AND PUBLIC BENEFIT, INCLUDING SOCIAL AND ECONOMIC CONSIDERATIONS.

CHAPTER III: EXISTING CONDITIONS, ANTICIPATED IMPACTS AND PROPOSED MITIGATION

The following describes the methodologies that will be used in the DEIS to assess the potential environmental impacts of the Proposed Action. The general framework for each impact is to: (1) study and describe the existing conditions in the area; (2) assess potential impacts of the Proposed Action (referred to as "Potential Impacts"); and (3) present and evaluate potential mitigation measures to mitigate any adverse impacts.

Required elements for each section of Chapter III of the DEIS include the following:

A. LAND USE, ZONING, AND PUBLIC POLICY

1. Existing Conditions: This section will present a narrative and graphical presentation of land uses and zoning districts within a one-half mile radius of the Project Site. In addition, this section will present a discussion of the permitted land uses in the underlying zoning districts. This section will focus on the underlying CT-1 zoning district, addressing other permitted uses and regulations related to site development.

   This section will also identify current and pending public policy and regulations applicable to the subject property and to the general properties within a one-half mile radius of the Project Site based on information provided by the Village of Briarcliff Manor and the Town of Ossining. These public policies and regulations will include but are not limited to a review of the Village Code, local laws, Village of Briarcliff Manor Comprehensive Plan, and other applicable planning documents or reports.

   This section will also include an analysis of the history of the Project Site (e.g., past uses).

   This section will review the solar installations special permit zoning regulations that are applicable to the Project Site, applying the regulations for each zoning district that is part of the Project Site. The BESS Moratorium will also be discussed.

2. Potential Impacts: This section will identify the relationship of the Proposed Project to the overall land use patterns within the study area. This section will discuss the following:

   a. The relationship between the Proposed Project and recommendations set forth in the Village of Briarcliff Manor Code, Comprehensive Plan, and other plans and policies, including the BESS Moratorium.

   b. The relationship of the Proposed Project and nearby sensitive uses, if any, such as agriculture, natural resources, Critical Environmental Areas, sites of historical or archeological significance or public parks. Any adverse environmental impacts associated with the Proposed Project would be identified,~~;~~ and impact on community and neighborhood character.

   c. The potential impacts associated with the special use permit, steep slopes permit, wetlands permit, tree removal permit, and site plan for the Proposed Project.

   d. A comparative discussion between the proposed solar use and the other CT-1 permitted uses in terms of land use impact. This section will describe and discuss recent Zoning Code amendments clarifying solar uses.

3. Mitigation: A discussion of mitigation measures will be included for any significant adverse impacts identified. Additionally, any unavoidable adverse impacts will be identified.

B. VISUAL CHARACTER

1. Existing Conditions: This section will document views from public roadways and any other significant public view sheds into the Project Site. Photos and a narrative will be used to describe the existing conditions of the Project Site from adjacent roadways and potentially impacted public properties. Views along Shadow Brook Lane and Holbrook and Scarborough Roads will be documented, as will the potential for visual impacts on the Hudson River viewshed. A discussion on the Visual Analysis performed by Aspect 120 in 2023 will be included.

2. Potential Impacts: To assess impacts, an analysis will describe the Proposed Project's physical design (height, bulk, orientation). Using photographs, cross sections, photo-simulations, and sketches, the views into the Project Site from adjacent public roadways or other public areas will be described and illustrated. The analysis shall discuss leaf-on~~,~~ and leaf-off view impacts. The results of a Glint-Glare Analysis Report, prepared by LaBella Associates, dated November 2022, that was previously submitted to the Village, will be summarized and any potential impacts to vehicular traffic in the Right-of-Way as well as to adjacent properties and structures will be discussed.

3. Mitigation: A discussion of mitigation measures will be included for any significant adverse impacts identified. Additionally, any unavoidable adverse impacts will be identified.

C. INFRASTRUCTURE AND UTILITIES

1. Existing Conditions: The existing water, sewer, electric and natural gas lines in the vicinity of the Project Site will be described. This section will provide information on the conditional assessment and rationale for replacement of the bridge over Sparta Brook.

2. Potential Impacts: Potential impacts resulting from the changes to the existing electric infrastructure will be identified. An assessment on the Proposed Project's infrastructure usage compared to other potential uses and whether the grid infrastructure would require any upgrades to receive the energy generated from the solar panels will be included. ~~Resolution of the existing sewer easement will result in sewer being cut, capped, and demapped.~~

Potential impacts to water and natural gas service will also be discussed. If required by the utility, Consolidated Edison, the Applicant shall perform a Coordinated Electrical

System Interconnection Review (CESIR) and include and discuss the results in this section.

3. Mitigation: Mitigation measures required to avoid or minimize any potential significant adverse impacts on these utilities will be described. Additionally, any unavoidable adverse impacts will be identified.

D. TRAFFIC AND TRANSPORTATION

1. Existing Conditions: This section will include existing traffic conditions based on the Briarcliff Manor Traffic Analysis Technical Memorandum completed in 2020 and the Briarcliff Manor Solar Traffic Analysis completed in August of 2022. The validity of the 2020 and 2022 traffic data shall be addressed to determine if traffic volumes post COVID have increased, and data shall be refreshed, if necessary. The following information was provided in the analyses, and will be summarized in this section:

   (a) Roadway Inventory. Surrounding roadway characteristics will be described, including functional classifications, traffic volumes, percentage of trucks, jurisdiction, speed limit, and number of travel lanes.

   (b) The study area will include the following roadways, which were studied in the Briarcliff Manor Solar Traffic Analysis:

   - US Route 9 (Albany Post Road).
   - Scarborough Road; and
   - Holbrook Road.
   - Old Briarcliff Road will~~should~~ also be studied as a route from Pleasantville Road to the site.

   (c) Capacity Analysis for Existing Conditions. A capacity analysis was conducted using the HCS7 software, which uses the methodology of the Transportation Research Board's *Highway Capacity Manual* as a part of the Briarcliff Manor Solar Traffic Analysis. This analysis was performed for the segment of Scarborough Road between US Route 9 and Holbrook Road. A summary of this analysis will be included in this section.

   (d) Sight Distances. The Existing Conditions section of the chapter will identify sight distances analyzed in the Briarcliff Manor Traffic Analysis Technical Memorandum.

2. Potential Impacts: Traffic impacts resulting from the construction and operational phases on the Project Site will be described. The Build Conditions Site-Generated Traffic Volumes is described in two phases: construction and operation. The DEIS will include a discussion of anticipated traffic during the construction, including bridge reconstruction, and operational phases.

The impact of construction and operational phases on the Level-of-Service of adjacent roadways will be discussed. This section will identify the routes used by construction vehicles to access the site and facility.

This section will include a summary of the capacity analysis performed as a part of the Briarcliff Manor Traffic Analysis Technical Memorandum and Briarcliff Manor Solar Traffic Analysis. This section will review the scope of the bridge reconstruction since it will require truck traffic and access alterations during the reconstruction. A discussion of temporary construction impacts from truck trips and equipment will also be included. A description of the adjacent roadway network and any potential impact to these roadways will also be included, along with any unavoidable impacts. The Briarcliff Manor Traffic Analysis Technical Memorandum and Briarcliff Manor Solar Traffic Analysis will be included in an appendix to the DEIS.

3. Mitigation: Mitigation would be provided for any significant adverse impacts identified along with any unavoidable adverse impacts to traffic and transportation.

E. COMMUNITY FACILITIES

1. Existing Conditions: Municipal facilities and services currently provided to the Project Site will be discussed, including police, fire, emergency services, recreation, water, and solid waste disposal.

2. Potential Impacts: Potential impacts to community facilities and services will be identified and described. Emergency access to the Project Site by fire and other emergency services will be addressed. Consultation with the community facilities and service providers will be conducted and consultation correspondence will be included as an appendix.

   The DEIS will evaluate a Battery Energy Storage System (BESS) as a project alternative. This section will analyze associated impacts, including emergency response, fire safety, and hazard mitigation. ~~Any potential impacts related to BESS should be discussed.~~ The DEIS will include ~~A~~a preliminary Emergency Response and Fire Safety Plan will be included as an appendix.

3. Mitigation: Mitigation would be provided for any significant adverse impacts identified along with any unavoidable adverse impacts to the community facilities. Mitigation will include a decommissioning plan, included as an appendix, detailing the requirements of proper decommissioning of the Proposed Project as well as a cost estimate for such work. A means of surety for decommissioning shall be identified and provided prior to the issuance of a building permit.

For any project alternatives that incorporate a Battery Energy Storage System (BESS), ~~The~~a ~~d~~Decommissioning Plan shall be prepared in accordance with Section 1206, "Battery Energy Storage Systems," of the 2020 Fire Code of the State of New York and shall acknowledge impending changes to the Fire Code of New York State (FCNYS). The plan will include provisions for a 24/7 staffed emergency response capability and identify requirements for both initial and annual training for local first responders. These measures are specific to BESS-inclusive alternatives and do not apply to alternatives involving solar PV alone.

F. SOILS AND GEOLOGY

1. Existing Conditions: This section will describe and/or identify the existing onsite soils conditions and a slope analysis. Information on reported spills on the Project Site will also be included. A table of onsite soils identifying type of soils, the construction limitations, suitability for proposed uses, resistivity, conductivity, and seasonal high ground water table for each soil will be included. This section will identify areas of steep slopes, any rock outcropping, agricultural districts, agricultural soils, and agricultural lands based on soil types and topographical data. Information will be verified with the US Web Soil Survey (WSS). The review will evaluate existing steep slopes.

2. Potential Impacts: Potential impacts to on-site soils and geology will be identified and discussed. Anticipated impacts relating to site grading, soil erosion fill, loss of agricultural soils and uses, and environmental remediation, if any, will be described. The DEIS will summarize the results of a Phase I Environmental Site Assessment (ESA), and if determined to be necessary, a Phase II Subsurface Investigation. Potential impacts regarding hazardous material contamination as a result the Proposed Project, during construction demolition, project operation (including any potential use of hazardous fluids), and decommissioning, will be identified. If any hazardous fluids are used on site during project operation, a discussion f how leaks will be controlled and any impacts related to surface or groundwater contamination will be addressed. Regarding the bridge replacement, a discussion of the hydraulic analysis of the Project Site will determine the proposed replacement and construction methodology. Any unavoidable impacts will also be discussed.

3. Mitigation: Discussions of Best Management Practices (BMP~~'~~s) will be presented in this section. Potential mitigation for any significant adverse impacts to onsite soils, agricultural soils, or lands will be described. As part of project approvals, the Applicant will request a waiver from the local MS4 in accordance with NYSDEC requirements for the five-acre disturbance limit based on the State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges for Construction Activity (GP-0-20-001). This section will include ~~A~~any required MS4 or NYSDEC remediation procedure and policies, ~~will be~~ includinged a soil disturbance phasing plan.

G. SURFACE AND GROUNDWATER RESOURCES

1. Existing Conditions: This section will describe the drainage patterns of the Project Site based on the existing watershed and will identify, map, and classify on-site streams and wetlands, identify nearby floodplains, and depth to water table.

   Stormwater studies will identify all upstream contributory drainage areas which pass through the Project Site. The extent of drainage areas identified shall be represented on appropriate maps. The existing and proposed storm water conditions will be evaluated for the 1-year, 10-year, 25-year and 100-year storm events using the current methodologies, consistent with NYSDEC regulations. A tabular summary of the stormwater analysis will compare existing and proposed conditions.

   This section will describe the Stormwater Pollution Prevention Plan (SWPPP) prepared by Langan, along with NYSDEC requirements to mitigate potential impacts both during and after construction. The SWPPP will be included as an appendix to the DEIS.

2. Potential Impacts: This section will discuss potential impacts to the Sparta Brook, adjacent properties, proposed drainage patterns, stormwater quality and quantity control during construction and operational phases, and peak discharge rates for the required NYSDEC design storm events of the 1-year, 10-year, 25-year and 100-year storms. The review will include proposed drainage facilities and treatment methods to be used to treat runoff, maintenance of proposed facilities, and any additional proposed stormwater management practices. This section will also consider the impact of tree removal on the site's ability to capture stormwater. The section will discuss letters the Project Sponsor received from NYSDEC and the US Army Corps of Engineers (USACE) indicating no significant adverse impact from the Proposed Project. Any unavoidable impacts will also be discussed. This section will also discuss the potential for thermal pollution and runoff along with heat island impacts based on a letter, dated August 15, 2022, from LaBella Associates submitted to the Village addressing concerns about the heat island and thermal impacts. This section will also include a discussion of impacts from the ongoing maintenance of the solar system infrastructure, It will address any potential for ground or surface water contamination associated with the cleaning of panels or other routine maintenance.

3. Mitigation: This section will describe mitigation measures to minimize any significant adverse impacts from stormwater quantity and quality. The Village will evaluate the SWPPP. This section should include a discussion of the implementation of stormwater control measures, and sediment and erosion control measures. This section will include development of an Operations and Maintenance Manual for stormwater control measures and improve a provision for the means of continual inspection and maintenance of such measures.

H. WETLANDS

1. Existing Conditions: This section will include information from the Wetland Delineation Report provided by Ecological Analysis in 2022. The National Wetland Inventory (NWI), NYSDEC freshwater wetland maps, and associated surface water maps will be included in this section. A discussion of the character of the wetlands and related surface water features, and any known connections to other surface waters and their classification will be included. The wetland discussion regarding the classification procedures, required buffers, and jurisdictional determinations (if necessary) will refer to the NYSDEC rule changes effective January 1, 2025.

   A DEIS appendix will include the wetland delineation report, field data sheets, and maps, prepared by Ecological Analysis. Potential impacts to existing drainage patterns, functions and values of wetlands and other surface waters will be discussed. ~~All wetland related impacts will require NYSDEC and USACE approvals and evaluation factors, per 33CFR 325.3(c) for the USACE and 6NYCRR 663.5 for the NYSDEC in addition to a local Wetlands Permit.~~ The Village Wetland Permit process and regulations (Village Code Chapter 218) will be summarized.

2. Potential Impacts: Potential impacts to existing drainage patterns, functions and values of wetlands and other surface waters, including the proposed replacement of the existing bridge over Sparta Brook, will be discussed. This section will address how the NYSDEC rules changes regarding freshwater wetlands regulation will affect site development. All wetland related impacts will require local approval from the Planning Board, This section will describe how the project will comply with Chapter 218 of the Village Code. The NYSDEC Jurisdictional Determination (JD) process and related communication will be summarized. ~~, NYSDEC and USACE approvals and evaluation factors, as discussed in 33CFR 325.3(c) for the USACE and 6 NYCRR 663.5 for the NYSDEC.~~ Any unavoidable impacts will also be discussed.

3. Mitigation: Mitigation measures, if required for any significant adverse impacts to wetlands, will be described in this section and will include a description of any compensatory wetland mitigation being proposed along with any other mitigation measures being proposed during construction and operation. This section will also describe the permitting requirements of the local, state, and federal agencies and how they relate to wetland mitigation requirements.

I. CULTURAL RESOURCES

1. Existing Conditions: This section will describe the Project Site, which includes a multi-story commercial complex eligible for listing on the State/National Register of Historic Places. A discussion of the coordination with the New York State Historic Preservation Office (SHPO) will also be included. The potential impact of the Old Croton Aqueduct

will be reviewed, including inquiring with SHPO regarding its historical significance. Correspondence with SHPO will be included in the DEIS as an appendix.

2. Potential Impacts: This section will discuss anticipated impacts, including visual impacts, to any identified historical or archeological resources. Unavoidable impacts will be discussed.

3. Mitigation: the requirements outlined in the Letter of Resolution (LOR) between the Project Site owner and the NYS Office of Parks, Recreation, and Historic Preservation (OPRHP) will be summarized in this section, including the Construction Protection Plan (CPP) and the Unanticipated Discovery Plan (UDP).

J. NOISE

1. Existing Conditions: This section will include a discussion of the existing level of ambient noise in the immediate area of the Project Site. The major sources of existing noise will be described in this section including noise from nearby roadways. Sensitive noise receptors on or near the Project Site will also be identified.

2. Potential Impacts: This section will include a discussion of anticipated noise created by the Proposed Project operations, as discussed in the acoustic study performed by Acoustic Distinctions in 2023. This section will include a review of potential noise impacts due to cooling equipment (HVAC) related to battery storage and other activity, if applicable.

~~A discussion on the noise levels and impacts of the Proposed Project during construction as well as impacts due to blasting, if required, will also be provided.~~ The DEIS will evaluate, where appropriate, potential noise impacts in accordance with government policy and guidance documents and reports, including, but not limited to the NYSDEC Program Policy for Assessing and Mitigating Noise Impacts (2000) and the Village of Briarcliff Manor General Legislation. Any unavoidable impacts will also be discussed. The Acoustic Distinctions' study will be included in an appendix to the DEIS.

3. Mitigation: Mitigation measures would be discussed for any significant adverse noise impacts. This section shall discuss natural barriers, including measures identified in the Visual Analysis, which will help mitigate significant adverse noise impacts.

K. FLORA and FAUNA

1. Existing Conditions:

Vegetative/ecological communities within the limits of the Project Site will be identified and described. Flora and fauna (fish and wildlife) observed on and adjacent to the Project Site will be identified. Flora and fauna identified on the Project Site and species that may be present on the Project Site based on their known range in New York, existing on-site habitat and expected or observed seasonal occurrence will be

provided. The NY Breeding Bird Atlas and NY Herp Atlas are data sources that will be used to develop a list of potential on-site species. Site-wide flora and fauna and species habitat potentials will be described, relative to terrestrial and aquatic habitats (i.e., wetlands and other on-site water bodies).

The project will include a three-season (spring, summer, and fall) study, conducted in accordance with accepted federal and New York State protocols, to document each habitat type, the presence or absence of significant biological communities, wildlife corridor activity, the site's role in the larger ecosystem, and observed or anticipated plant and animal species on the Project Site.

As part of project planning, Federal and state agencies were contacted to determine the recorded presence of threatened, endangered, or unique and rare plant and animal species on or in proximity to the Project Site. The US Fish & Wildlife Service, Information for Planning and Consultation (IPaC) Biological Assessment, New York State Natural Heritage Program, and NYSDEC consultations will be summarized in this section and included as an appendix to the DEIS. Where appropriate, the Applicant will reference the ~~2014 Village of Briarcliff Manor~~2009 Scarborough Corridor -Natural Resources Inventory (NRI) to support its findings. The Applicant will incorporate a previous determination that the Project Site does not contain potential roosting or nesting trees to afford habitat for bald eagles (per April 17, 2023 letter previously submitted to the Village Board of Trustees).

2. Potential Impacts: A description of potential impacts to plant and animal communities on, or in the vicinity of the Project Site, due to grading and excavation will be provided. Direct and indirect impacts to wildlife because of the Proposed Project, including but are not limited to construction, habitat loss and changes of habitat types and habitat fragmentation, will be discussed. A qualitative analysis of available on-site post-construction habitats will be provided. Particular attention will be paid to high value or sensitive habitats (such as the steep slopes, wetlands, and wetland buffer areas if any) and endangered, threatened, and special concern species (if any).

   The section will assess impacts due to the bridge replacement and tree removal. In addition, the potential impacts of tree removal as it relates to carbon sequestration on the Project Site will be discussed. The section will also discuss how the removal of invasive trees results in a positive impact for the Project Site. Any unavoidable impacts will also be discussed.

3. Mitigation: Measures designed to mitigate any significant adverse impacts to identified plant and animal species on and in the vicinity of the Project Site will be discussed. In accordance with Village Code § 220-6.J(15), the Applicant will either plant two trees for every one removed or provide a compensatory contribution to the Village Tree Fund in lieu of on-site replanting. The use of fish and wildlife friendly infrastructure,

fencing, and landscaping will be identified and considered where applicable in the project design.

L. OPEN SPACE AND RECREATION

1. Existing Conditions: This section will include existing open space and recreational areas on or near the Project Site, including any local, County or State Park Land or New York State Natural Landmarks. A review of the New York State Open Space Plan, Village of Briarcliff Manor Comprehensive Plan and Village Open Space Policy will be included.

2. Potential Impacts: A description of potential impacts to open space and recreational areas will be provided. Direct and indirect impacts to these resources will be provided, including a qualitative analysis on the availability of these resources. Any unavoidable impacts will also be discussed.

3. Mitigation: Measures designed to mitigate any significant adverse impacts to open space and recreational areas on and in the vicinity of the Project Site will be discussed.

M. SOCIOECONOMIC

1. Existing Conditions: This section will describe the current fiscal impact the Project Site has on the Village of Briarcliff Manor and other taxing jurisdictions, including Ossining Union Free School District and the County. The social and economic impacts to the community from the existing conditions will also be reviewed.

2. Potential Impacts: This section will discuss the fiscal impact of the Proposed Project on the Village of Briarcliff Manor, Ossining Union Free School District. and other taxing jurisdictions, including any potential tax abatements such as a PILOT. The details of the PILOT ~~should~~will be outlined and the benefits/costs of solar to the ~~v~~Village will~~should~~ be analyzed~~ddressed~~. This analysis includes a review of savings, if any, on utility bills for Village residents.

Any costs to the Village for community services (i.e., police, fire, EMS) will be described. Any socioeconomic impacts on the community that can be expected to result from the Proposed Project, including a comparison of the PILOT for the Preferred Alternative and other alternatives will be described. This section will provide a comparison of PILOT payment structure flexibility.

~~1.~~3. Mitigation: Describe any measures that would be implemented to minimize any socioeconomic impacts to the community. Proposed mitigation measures to avoid or minimize any significant adverse impacts will be identified, as necessary.

CHAPTER IV: CONSTRUCTION IMPACTS

Potential impacts anticipated due to the construction of the Proposed Project, hours of construction operations, including noise, traffic, air quality, dust, and its impact on the surrounding area and proposed stormwater management during construction will be described. Any impacts to wetland areas due to construction, including a potential vehicular bridge over existing streams or wetlands on-site, will be included. In addition, construction phases and any impacts will be provided, and appropriate mitigation outlined. Any unavoidable impacts will also be discussed.

This section describes the proposed decommissioning plan, project phasing plan, and the need for any hazardous material remediation and trucking of contaminated soil. The potential for project failure and the impact of a partially built out solar farm should be discussed.

CHAPTER V: ALTERNATIVES

The DEIS will analyze the reasonable alternatives to the Preferred Project, which is a Solar - 15MWdc/10MWac Site Layout, which are feasible, considering the objectives and capabilities of the Project Sponsor. The description and evaluation of each alternative should be at a level of detail sufficient to permit a comparative assessment of the alternatives discussed:

- No Action Alternative: This alternative assumes that the Project Site remains in its current condition. A discussion of this alternative will evaluate the adverse or beneficial site changes that are likely to occur in the near future in the absence of the proposed action.

- ~~Alternative 1: Solar & Battery Energy Storage System (BESS) Currently Disturbed Footprint [15MWac BESS (3x 5MWac) + Incorporate the remaining land area with Solar].~~

- Alternative ~~2~~1: Solar & BESS - 15MWdc/10MWac Solar + 15MWac BESS. Alternative 1 has fewer solar panels than the Preferred Project. Unlike the Preferred Project, Alternative 1 includes a 15 MW AC BESS System at the northern portion of the Project Site, occupying 0.56 acres of the Project Site. The Alternative 1 developed area is 40.72 acres of solar area and 0.56 acres of BESS, more area than the 40.72-acre solar layout area of the Preferred Project.

Other potential alternatives were eliminated from consideration due to the lack of financial viability. Information on the components of the BESS system and chemicals included should be discussed as part of the alternatives analysis.

CHAPTER VII: POTENTIAL GROWTH INDUCING IMPACTS

This section of the DEIS will identify and discuss growth inducing impacts associated with the proposed action, in accordance with 6 NYCRR 617.9(b)(iii)(d).

CHAPTER VIII: UNAVOIDABLE ADVERSE IMPACTS

This chapter will discuss adverse environmental impacts that cannot be avoided, with or without mitigation measures and that were not discussed in other chapters of the DEIS.

CHAPTER VIII: PROJECT IMPACTS ON ENERGY USE AND GREENHOUSE GAS EMISSIONS

This chapter will discuss the Proposed Project and its impacts in terms of the energy use and greenhouse gas (GHG) emissions. Specifically, this chapter discusses how the Proposed Project would have a beneficial impact, including reducing GHG emissions, how the Project contributes to grid resiliency through the provision of energy from solar sources and battery storage. This chapter will compare how the impacts on energy use and GHG emissions of the alternatives outlined in Chapter VI of this DEIS.

Since construction emissions are a significant part of the total project emissions, construction related GHG emissions would be quantified and evaluated for consistency with New York State's GHG reduction goal of an 85 percent reduction in GHG emissions by 2050. Opportunities for reducing GHG emissions associated with construction would be documented, as appropriate.

In addition, in accordance with the requirements of the Community Risk and Resiliency Act, this chapter will also consider that future physical risk due to sea level rise, storm surge and flooding have been considered as part of the Proposed Project and any relevant factors evaluated.

CHAPTER IX: IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF ENVIRONMENTAL RESOURCES

This chapter will discuss the Proposed Project and its impacts in terms of the loss of environmental resources, both in the immediate future and in the long term. This will include the plans for tree removal for both invasive and noninvasive species, and the potential impacts to carbon sequestration.

TECHNICAL APPENDICES

1. SEQRA Documentation (EAF Parts I, II, and III, Positive Declaration, Scoping Outline)
2. Project Site Plans
3. Site Lighting Specifications
~~3.~~4. Survey
~~4.~~5. Sedimentation & Erosion Control Plans
6. Visual Analysis

~~5.~~7. Glint-Glare Analysis Report

~~6.~~8. Emergency Response and Fire Safety Plan

9. Dispersion (Plume) Analysis

~~7.~~10. Decommissioning Plan

~~8.~~11. Traffic Analysis

~~9.~~12. Geotechnical Report

~~10.~~13. Slope Analysis

~~11.~~14. Tree survey and inventory

~~12.~~15. Carbon Sequestration Analysis

~~13.~~16. SWPPP

~~14.~~17. Wetlands Delineation Report

~~15.~~18. FEMA Flood Zone Memo

19. Jurisdictional Determination from NYSDEC

~~16.~~20. Phase I ESA

21. Phase II Subsurface Investigation (if necessary)

~~17. NYS OPRHP Letter of Resolution~~

~~18.~~22. Acoustic Study

~~19.~~23. Wildlife Habitat Assessment

24. Bald Eagle Habitat Assessment Letter

25. Biological Assessment

~~20.~~26. Thermal Impacts to Stormwater and Heat Island Impacts Analysis Letter

~~21.~~27. Bridge Reconstruction Scope of Work and Plan

~~22.~~28. Agency Correspondence

~~23. NYS Department of Environmental Conservation Notice of Positive Declaration~~

~~24.~~29. List of all Interested and Involved Agencies and their mailing addresses.

~~25.~~30. Public comment and correspondence

ISSUES NOT INCLUDED IN THE SCOPE

Per 6 NYCRR § 617.8(a)(7), the SEQR regulations require a brief description of the prominent issues that were considered in the review of the environmental assessment form or raised during scoping, or both, and determined to be neither relevant nor environmentally significant or that have been adequately addressed in a prior environmental review and the reasons why those issues were not included in the final scope.

~~Section to be completed following close of scoping comment period.~~

1. Ecological Studies

On behalf of the Applicant, Ecological Analysis, LLC ("EA") completed the original Wildlife / Habitat Assessment, dated September 7, 2022, for the Project Site. EA revisited the Project Site on April 28, 2025, and May 18, 2025, to address the comments of the Environmental Advisory Council (EAC) regarding amphibians. The Applicant is already conducting a comprehensive three-season ecological study (spring, summer, and fall) consistent with accepted protocols. The Applicant takes the position that a four-season study, particularly the inclusion of a winter-specific survey, would not yield added information relevant to the environmental impact assessment of this already degraded site. The attached letter dated May 21, 2025, from James Bates of EA outlines why additional analyses are not necessary.

- Recent site visit findings: Subsequent site visits, including this spring 2025 to address EAC comments regarding amphibians, at no time were egg masses observed in the only wetland area that might support them. The site visit findings confirm the Project Site has been significantly disturbed for decades, having previously been a commercial property with associated landscaping, asphalt, and a large building, all within a long-established suburban area.

- Presence of non-native species: The Project Site has been vacant for more than a decade. Invasive species like porcelain vine are taking over the property and killing the native plant species. The invasive species hold very little to no true habitat value even as a food source to the local fauna and birds. The spring 2025 site visit reconfirms the prevalence of invasive over native species.

- Absence of rare species and significant natural communities: The EA review of agency databases and information from the NYSDEC and the NYS Natural Heritage Program confirms the absence of records for listed rare or state-listed animals or plants, or significant natural communities directly on or immediately adjacent to the property. Consultations with the U.S.

Fish and Wildlife Service (USFWS) in 2022 regarding federally listed species, specifically the Indiana Bat, also concluded that impacts were not reasonably certain to occur due to the significant distance to known hibernacula (approx. 23 miles) and summer roost trees (approx. 26 miles). The USFWS IPaC consultation dated May 2025 also confirms the presence and absence findings.

EA submitted a letter dated April 17, 2023 to the Village Board of Trustees which evaluated potential roosting or nesting trees that might afford habitat for bald eagles. EA concluded that it is unlikely that any of the individual trees on or near the property might provide habitat that might significantly support any behaviors or individuals of that species. During the site visit referenced in the April 17, 2023 letter, no evidence of eagles was noted, either sightings, vocalizations, or nests of any age (either occupied, new, old, under construction, or abandoned).

- Lack or relevant winter findings: The primary driver for multi-season surveys often revolves around detecting species with varying seasonal activity patterns. Regarding the federally listed bat species potentially in the broader region (Indiana Bat, Northern Long-eared Bat, Tricolored Bat), winter survey will not yield any additional information on these species as they are in hibernation. See Letter from James Bates, Ecological Analysis, LLC, dated May 21, 2025. As documented, the Project Site is degraded, dominated by invasive flora, and lacks the geological or structural features necessary to support bat hibernation.

  If these bat species were using the project site for foraging, summer roosting, or as a migratory stopover, such activity would be observable and detectable during the spring, summer, or fall. Conducting surveys for these bat species during winter on this property would be scientifically unproductive and inconsistent with targeted survey protocols. The bats are simply not expected to be active or present in a detectable manner that would inform an impact assessment for winter conditions. Any meaningful assessment of bat usage relies on studies conducted when they are active. See Letter from James Bates, Ecological Analysis, LLC, dated May 21, 2025.

Based on the site's documented disturbed history, the current dominance of low-value invasive species, the lack of unique or critical habitats (especially hibernacula), prior agency consultations, established USFWS survey principles, the absence of evidence that bald eagles are present at the Project Site, and the established ecology of the species of concern, EA maintains that a winter ecological study will not provide additional relevant data for assessing this project's environmental impacts.

EA believes that a focused approach concentrating survey efforts during the spring, summer, and fall is scientifically appropriate and sufficient to characterize the site's existing ecological conditions and to detect the presence of any seasonally active wildlife.

~~Lighting Impacts~~

~~A glint and glare study is not necessary to address concerns regarding solar panels emitting glare. The Applicant authorized LaBella Associates to prepare the Glint Glare Analysis Report, dated~~

~~November 2022, and submitted the report as part of its application documents. That Report concludes that under the worst-case scenario, no neighboring properties would experience significant impact due to glare from the proposed solar facility. When the anti-reflection design elements of the solar panels to be used at the facility and the mitigating site features are considered, the report concludes that glare will create no negative impacts at the Project Site and surrounding area.~~

~~The Proposed Action will have minimal lighting for security purposes, which will comply with the applicable lighting requirements in the site plan regulations, specifically Chapter 220-14.E(2) of the Village Zoning Code. Lighting specifications attached to this scope show the limited area the lighting will be located. The scale of the proposed lighting will have no adverse impact. The lighting will be less intense than the previous office use. For those reasons a discussion of potential light pollution and dark-sky compliance is not necessary to make an informed decision regarding the Proposed Action.~~

- ~~Thermal Impacts to Stormwater and Heat Island Impacts~~

~~As part of the record in this Application, the Applicant previously submitted a letter, dated August 15, 2022, from LaBella Associates to the Village addressing concerns about the heat island effect. The letter responded to concerns that the effects of solar farm heat islands and that the stormwater runoff will become a source of thermal pollution to the receiving streams. That letter states the concern to be unwarranted for the following reasons:~~

- ~~The project removes approximately 4.1 acres of asphalt — a surface that can reach 60–66 °C and generate first-flush runoff ≈ 35 °C — and replaces it with vegetated ground under elevated photovoltaic (PV) panels (turf grass runoff ≈ 25 °C). This conversion reduces both surface heat and runoff temperature compared with existing conditions.[1]~~

- ~~Peer-reviewed studies show that vegetated PV arrays in temperate climates produce little or no heat island effect. A 2024 global analysis of 116 solar farms measured an average daytime surface cooling of 0.5 K after PV installation.[2] Where minor air temperature increases (+1–2 °C) have been observed directly under panels, the effect dissipates to < 0.5 °C within ~100 feet.[3] All wetlands and streams on site are at least 100 feet from panel drip lines.~~

~~[1] Thompson, A. M., & Fang, X. (2008). Thermal Characteristics of Storm Water Runoff from Asphalt and Sod Surfaces. Journal of the American Water Resources Association, 44(4), 902-910. https://onlinelibrary.wiley.com/doi/10.1111/j.1752-1688.2008.00226.x?msockid=21df67fe68406bf80362733769b06ae6~~

~~[2] Xu, Z., et al. (2024). A global assessment of the effects of solar farms on albedo, vegetation and land surface temperature. Solar Energy, 275, 112700. https://www.sciencedirect.com/science/article/pii/S0038092X23008320~~

~~[3] North Carolina State Clean Energy Technology Center (2019). Balancing Agricultural Productivity with Ground-Based Solar PV Development.~~

~~Rainwater contacts each panel for only seconds before infiltrating vegetated soil; NYSDEC's Solar Stormwater Guidance (April 5, 2018) classifies such arrays as "disconnected impervious" and imposes no thermal mitigation requirement.[1]~~

~~The design includes at least 100 feet of vegetated buffer to all wetlands. Agency manuals document that 50 to 100 feet of grass or forest buffers return runoff to ambient temperature before it reaches a waterbody.[2]~~

~~Given the net cooling from asphalt removal, negligible PV heat island signal, rapid runoff temperature equilibration, and regulatory precedent, there is no reasonable potential for a significant adverse thermal impact under 6 NYCRR §617.8(g). Accordingly, this topic should be excluded from further review.~~

2. Private Sewer Line Impacts:

The Applicant has offered to relocate and connect sewer lines for two adjacent residential properties. The private sewer line impacts should be excluded from DEIS review since the sewer line relocation is a separate civil matter outside the scope of environmental review for the Project.

~~[1] New York State Department of Environmental Conservation (2024). Solar Panel Construction Stormwater Guidance Memorandum. https://www.nyseia.org/_files/ugd/a89dc9_ef24fb0a76eb44d691a8e196636bf382.pdf~~

~~[2] Minnesota Pollution Control Agency (2022). Minnesota Stormwater Manual — Vegetated Swales & Buffer Strips. https://stormwater.pca.state.mn.us/index.php?title=Vegetated_swales_and_buffer_strips~~